

**PATENT****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In Re Application Of:	)	<b>Att.: Box Missing Parts</b>
	)	
Frederick J. DOJAN, et al.	)	<b>Group Art Unit: 3728</b>
	)	
Serial No. 10/767,212	)	<b>Examiner: TBD</b>
	)	
Filed: January 28, 2004	)	<b>Docket No. 005127.00277</b>
	)	
For: ARTICLE OF FOOTWEAR HAVING A	)	
FLUID-FILLED BLADDER WITH A	)	
REINFORCING STRUCTURE	)	

**SUBMISSION OF MISSING PARTS OF NONPROVISIONAL APPLICATION**

Commissioner for Patents  
Alexandria, VA 22313

Sir:

Pursuant to the Notice to File Missing Parts of Application dated June 15, 2004, Applicants hereby submit their executed Declaration in the above Application. The Commissioner is hereby authorized to charge deposit account 19-0733 for a total of \$1,422.00, which includes the basic filing fee of \$790.00, \$72.00 for 4 claims over 20, the \$130.00 surcharge as set forth in 37 C.F.R. §1.16(e), and \$430.00 for a two-month extension of time. Should any additional fees be necessary, the Commissioner is authorized to charge the cost of the additional fees to deposit account 19-0733.

The submission of these missing parts, and two month extension of time, is timely filed by virtue of its filing by facsimile on October 12, 2004. However, should any extension or additional fee be required for the filing of these papers, such extension is requested and the Commissioner is hereby authorized to charge said fee to our Deposit Account No. 19-0733.

Respectfully submitted,

By: Byron S. Kuzara  
Byron S. Kuzara, Registration No. 51,255

Banner & Witcoff, Ltd.  
1001 G Street, N.W.  
Washington, D.C. 20001-4597  
Telephone: 503-425-6800

Dated: October 12, 2004



**BANNER & WITCOFF, LTD.**  
INTELLECTUAL PROPERTY LAW

601 SW SECOND AVENUE, # 1900  
PORTLAND, OREGON 97204

TEL: 503.425.6800  
FAX: 503.425.6801  
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**FACSIMILE TRANSMITTAL SHEET**

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<b>To:</b>	<b>FROM:</b>
Office of Initial Patent Examination - Missing Parts	Byron S. Kuzara
<b>COMPANY:</b>	<b>DATE:</b>
USPTO	October 12, 2004
<b>FAX NUMBER:</b>	<b>TOTAL NO. OF PAGES:</b>
703-746-4060	15
<b>RE:</b>	<b>OUR REFERENCE NO.:</b>
App. No. 10/767,212	005127.00277

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*If you do not receive all page(s) or have any problems receiving this transmission, please call:*

<b>NAME:</b>	Lesa Wolman	<b>PHONE:</b>	503-425-6800
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**COMMENTS:**



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I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office

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Date

~~Signature~~

Byron S. Kuzara, #51,255

Typed or printed name of person signing Certificate

Note: Each paper must have its own certificate of transmission, or this certificate must identify each submitted paper.

Fee Transmittal (1 page)

Petition for Extension of Time (1 page)

Submission of Missing Parts (2 pages)

Executed Declaration (2 pages)

Copy of Notice to File Missing Parts (2 pages)

Supplemental Application Data Sheet (5 pages)

Serial No. 10/767,212

Attorney Docket No. 005127.00277

This collection of information is required by 37 CFR 1.8. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 1.8 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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PTO/9B/17 (10-04)  
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OCT 12 2004

# FEE TRANSMITTAL for FY 2005

Effective 10/01/2004. Patent fees are subject to annual revision.

Applicant claims small entity status. See 37 CFR 1.27

**TOTAL AMOUNT OF PAYMENT** (\$ 1422)

Complete If Known	
Application Number	10/787,212
Filing Date	1/28/04
First Named Inventor	Frederick J. Dolan, et al.
Examiner Name	TBD
Art Unit	3728
Attorney Docket No.	005127.00277

## METHOD OF PAYMENT (check all that apply)

Check  Credit card  Money  Other  None  
Order

Deposit Account:

Deposit  
Account  
Number

19-0733

Deposit  
Account  
Name

Banner &amp; Witcoff, LTD.

The Director is authorized to: (check all that apply)

Charge fee(s) indicated below  Credit any overpayments  
 Charge any additional fee(s) during the pendency of this application  
 Charge fee(s) indicated below, except for the filing fee  
to the above-identified deposit account.

## FEE CALCULATION

## 1. BASIC FILING FEE

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1001 790	2001 395	Utility filing fee	790
1002 350	2002 175	Design filing fee	
1003 550	2003 275	Plant filing fee	
1004 790	2004 395	Reissue filing fee	
1005 160	2005 80	Provisional filing fee	
SUBTOTAL (1)			(\$ 790)

## 2. EXTRA CLAIM FEES FOR UTILITY AND REISSUE

Total Claims	Extra Claims	Fee from below	Fee Paid
24	-20 **	= 4	X 18 = 72
Independent Claims	2	-3 **	= 0
Multiple Dependent	0		X 300 = 0

Large Entity	Small Entity	Fee Description
Fee Code (\$)	Fee Code (\$)	
1202 18	2202 9	Claims in excess of 20
1201 68	2201 44	Independent claims in excess of 3
1203 300	2203 150	Multiple dependent claim, if not paid
1204 88	2204 44	** Reissue independent claims over original patent
1205 18	2205 9	** Reissue claims in excess of 20 and over original patent
SUBTOTAL (2)		(\$ 72)

\*or number previously paid, if greater. For Reissues, see above

## FEE CALCULATION (continued)

## 3. ADDITIONAL FEES

Large Entity	Small Entity	Fee Description	Fee Paid
Fee Code (\$)	Fee Code (\$)		
1051 130	2051 65	Surcharge - late filing fee or oath	130
1052 50	2052 25	Surcharge - late provisional filing fee or cover sheet	
1053 130	1053 130	Non-English specification	
1812 2,520	1812 2,520	For filing a request for reexamination	
1804 820*	1804 820*	Requesting publication of SIR prior to Examiner action	
1805 1,840*	1805 1,840*	Requesting publication of SIR after Examiner action	
1251 110	2251 55	Extension for reply within first month	
1252 430	2252 215	Extension for reply within second month	430
1253 380	2253 490	Extension for reply within third month	
1254 1,530	2254 765	Extension for reply within fourth month	
1255 2,080	2255 1,040	Extension for reply within fifth month	
1401 340	2401 170	Notice of Appeal	
1402 340	2402 170	Filing a brief in support of an appeal	
1403 300	2403 150	Request for oral hearing	
1451 1,510	1451 1,510	Petition to institute a public use proceeding	
1452 110	2452 55	Petition to revive - unavoidable	
1453 1,370	2453 685	Petition to revive - unintentional	
1501 1,370	2501 685	Utility issue fee (or reissue)	
1502 480	2502 245	Design issue fee	
1503 680	2503 330	Plant issue fee	
1480 130	1480 130	Petitions to the Director	
1807 50	1807 50	Proceeding fee under 37 CFR 1.17 (c)	
1808 180	1808 180	Submission of Information Disclosure Statement	
8021 40	8021 40	Recording each patent assignment per property (times number of properties)	
1809 790	2809 395	Filing a submission after final rejection (37 CFR § 1.129(a))	
1810 790	2810 395	For each additional invention to be examined (37 CFR § 1.129(b))	
1801 790	2801 395	Request for Continued Examination (RCE)	
1802 900	1802 900	Request for expedited examination of a design application	
Other fee (specify) _____			

\*Reduced by Basic Filing Fee Paid

SUBTOTAL (3)

(\$ 560)

## SUBMITTED BY

Name (Print/Type)	Byron S. Kuzara	Registration No. (Attorney/Agent)	51,255	Telephone	503-425-6800
Signature				Date	10/7/04

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2036.

This collection of information is required by 37 CFR 1.17 and 1.97. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 12 minutes to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form under suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, U.S. Department of Commerce, P.O. Box 1450, Alexandria, VA 22313-1450. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

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APPLICATION NUMBER	FILING OR 371 (c) DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NUMBER
10/767,212	01/28/2004	Frederick J. Dojan	005127.00277

22909  
 BANNER & WITCOFF, LTD.  
 1001 G STREET, N.W.  
 WASHINGTON, DC 20001-4597

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JUN 17 2004

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CONFIRMATION NO. 2583

FORMALITIES LETTER



\*OC000000012944110\*

Date Mailed: 06/15/2004



## NOTICE TO FILE MISSING PARTS OF NONPROVISIONAL APPLICATION

FILED UNDER 37 CFR 1.53(b)

*Filing Date Granted*Items Required To Avoid Abandonment:

An application number and filing date have been accorded to this application. The item(s) indicated below, however, are missing. Applicant is given TWO MONTHS from the date of this Notice within which to file all required items and pay any fees required below to avoid abandonment. Extensions of time may be obtained by filing a petition accompanied by the extension fee under the provisions of 37 CFR 1.136(a).

- The statutory basic filing fee is missing.  
*Applicant must submit \$ 770 to complete the basic filing fee for a non-small entity. If appropriate, applicant may make a written assertion of entitlement to small entity status and pay the small entity filing fee (37 CFR 1.27).*
- The oath or declaration is missing.  
*A properly signed oath or declaration in compliance with 37 CFR 1.63, identifying the application by the above Application Number and Filing Date, is required.*
- To avoid abandonment, a late filing fee or oath or declaration surcharge as set forth in 37 CFR 1.16(e) of \$130 for a non-small entity, must be submitted with the missing items identified in this letter.

The applicant needs to satisfy supplemental fees problems indicated below.

The required item(s) identified below must be timely submitted to avoid abandonment.

- Additional claim fees of \$72 as a non-small entity, including any required multiple dependent claim fee, are required. Applicant must submit the additional claim fees or cancel the additional claims for which fees are due.

10767212

SUMMARY OF FEES DUE:

Total additional fee(s) required for this application is \$972 for a Large Entity

- \$770 Statutory basic filing fee.
- \$130 Late oath or declaration Surcharge.

10/14/2004 10:11:49 AM 00000149 190733

01	FC:1001	790.00	DA
02	FD:1202	72.00	DA
03	FC:1051	130.00	DA

- Total additional claim fee(s) for this application is \$72
  - \$72 for 4 total claims over 20.

Replies should be mailed to: Mail Stop Missing Parts  
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*A copy of this notice MUST be returned with the reply.*

  
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